



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

H.A

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,279	01/24/2002	Yoshiharu Sasaki	Q68236	6321

7590 10/25/2006

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

EXAMINER
NGUYEN, ANTHONY H

ART UNIT	PAPER NUMBER
2854	

DATE MAILED: 10/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/054,279	SASAKI, YOSHIHARU
	Examiner	Art Unit
	Anthony H. Nguyen	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 August 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-51,53 and 54 is/are pending in the application.
- 4a) Of the above claim(s) 8-23 is/are withdrawn from consideration.
- 5) Claim(s) 1-7,43,51,53 and 54 is/are allowed.
- 6) Claim(s) 24-42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application
6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-42 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Williams et al. (US 6,024,019) in view of Corrado et al. (US 6,196,128) and Shinoda. (US 2001/0017996).

With respect to claims 24, 35 and 42, Williams et al. and Corrado et al. teach the recording apparatus and foreign material removal method having substantially the structure and method as recited. For examples, Williams et al. teaches a recording apparatus having a recording head 320, a flexible plate 306 or 122, a recording medium fixing member 500 which includes a plurality of suction ports 506 which secure the flexible plate 306,122 and a cylinder cleaner 325 (Williams et al., Figs. 2, 8,11 and 12). Corrado et al. teaches the adhering cleaning roller 40 which moves to or away from the surface of the roller 18 for cleaning as shown in Fig.1. Naniwa et al. teaches the conventional use of a flexible plate 13 having a plurality of distributed holes 14(b) as shown in Figs.2 of Naniwa et al. Williams et al. does not teach the adhesive roll having a crown shape. Shinoda teaches that the conventional use of a squeezing or cleaning roller 17 which is formed into a crown shape for removing a solvent in a liquid toner on

a photoconductor belt 15 as shown in Fig.5 of Shinoda . In view of the teachings of Corrado et al. and Shinoda., it would have been obvious to one of ordinary skill in the art to modify the recording apparatus of Williams et al. by substituting the adhering roller as taught by Corrado et al. and providing the conventional use of a cleaning roller having the crown shape as taught by Shinoda to improve the efficiency of cleaning the fixed surface of a recording medium fixing member in place of the cylinder cleaner 325 of Williams et al. With respect to claims 25-27, 31-33 and 36-41, the selection of a desired size or adhesive strength or adhesive material used for the roller or the hardness of the adhering roller for would be obvious through routine experimentation in order to get best possible cleaning the surface of the recording member.

Allowable Subject Matter

Claims -7,43,51,53 and 54 are allowable.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for allowance claims 1 and 5-7 is that the prior art of record does not teach the flexible plate which has a plurality of distributed holes and is attached onto the fixed surface of the recording medium fixing member which has a plurality of suction ports, the plurality of distributed holes in the flexible plate coincide to a degree with the plurality of suction ports on the fixed surface of the recording medium fixing member so that the suction is transmitted through the flexible plate to the recording medium as argued by applicant (the Remarks, page 18, third paragraph).

Response to Arguments

Applicants' arguments filed on August 16, 2006 have been fully considered but they are not persuasive of any error in the above rejections.

Applicant argues that there is no motivation to combine Williams et al., Corrado et al. and Shinoda. Specifically, applicant argued that the crown shape of Shinoda results in unevenness.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Williams et al. clearly teaches the recording apparatus having a recording medium supply section, a recording conveying section, a recording section and a cylinder cleaner as broadly recited. Corrado et al. clearly teaches the adhesive roller for foreign material removal and Shinoda teaches that the use of crown shape roller which has a diameter of a central portion which is larger than a diameter of both end portions for cleaning is conventional (Shinoda, the abstract, Fig.5). Additionally, Williams et al. is in the printing art including a roller cleaner, and Corrado et al. and Shinoda. teach the use of cleaning rollers in the recording apparatus. Therefore, the combination of Williams et al. Corrado et al. and Shinoda. renders obvious the structure as recited.

Applicant argued that Shinoda states that the squeezing cleaning crown shape roller in the prior art results in unevenness.

However, Shinoda is cited to show the conventional used of a crown shape roller for cleaning as recited. Therefore, the combination of Williams et al., Corrado et al. Shinoda renders obvious the structure and method as recited in the claims.

Conclusion

Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169.

The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen, can be reached on (571) 272-2558.

The fax phone number for this Group is (571) 273-8300.

Anthony Nguyen

Anthony Nguyen
10/17/066
Patent Examiner
Technology Center 2800